

SENATE—Wednesday, January 31, 2001

The Senate met at 10 a.m. and was called to order by the Honorable GEORGE ALLEN, a Senator from the State of Virginia.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

God, our help in ages past and our hope for years to come, we thank You for our Constitution and the stability and strength it has provided for our beloved Nation. Today, we gratefully remember the life and leadership of Gouverneur Morris, born on this day in 1752. We prayerfully recall that he was the writer of the final draft of the Constitution, the head of the Committee on Style, and the originator of the phrase, "We the people of the United States."

Thank You for the impact of Mr. Morris, who at the age of thirty-five became a member of the Continental Congress and spoke 173 times during the Constitutional debates, more than any other delegate. We honor his memory, not just for the quantity of his words but for their quality. In particular, we are moved by his conviction about You. "There is one Comforter," he said "who weighs our Minutes and Numbers out our Days." About the importance of a strong faith in You he said, "Religion is the only solid basis of good morals; therefore education should teach the precepts of religion, and the duties of man toward God." May we never forget that "morality is truth in full bloom." Father, keep America rooted in Your moral absolutes. You are our Judge and Redeemer. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SAM BROWNBACK, a Senator from the State of Kansas, led the pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate.

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 31, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable GEORGE ALLEN, a Sen-

ator from the Commonwealth of Virginia, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. ALLEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Chair recognizes the assistant majority leader, the Senator from Oklahoma, Mr. NICKLES.

SCHEDULE

Mr. NICKLES. Mr. President, today the Senate will be in a period of morning business until 10:30, with Senators BROWNBACK and DURBIN in control of the time. Following morning business, the Senate will proceed to executive session to consider the nomination of John Ashcroft to be the Attorney General of the United States. Debate on the nomination will be the business of the day, and the Senate will remain in session into the evening to allow all Members adequate time to discuss this nomination. It is hoped a vote on the confirmation of John Ashcroft will occur early in Thursday's session. Senators will be notified as that vote is scheduled.

I thank my colleagues for their attention.

MEASURE PLACED ON THE CALENDAR—S. 220

Mr. NICKLES. Mr. President, I understand there is a bill at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 220) to amend title 11 of the United States code, and for other purposes.

Mr. NICKLES. Mr. President, I object to further reading of this bill at this time.

The ACTING PRESIDENT pro tempore. Under the rule, the bill will be placed on the calendar.

DEBATE ON THE ASHCROFT NOMINATION

Mr. NICKLES. Mr. President, I also wish to bring to the attention of my colleagues the fact we had significant debate on this last night. Senator SESSIONS did an outstanding job in making his presentation. I encourage col-

leagues to review his statements and encourage all colleagues who wish to speak on this nomination to come to the floor early and make their statements so we can confirm John Ashcroft, or have a vote on his confirmation by tomorrow.

Mr. REID. Mr. President, if I could ask my colleague to yield for a brief interruption.

Mr. NICKLES. I yield.

Mr. REID. Thank you, Mr. President. I thank my friend from Oklahoma. I know how important his statement is. I know how much of a tragedy the State of Oklahoma and everyone in the country suffered.

But I did want to say before we left the floor that we agree with the Senator that the debate should go forward in full flow, and I say to the Democratic Senators within the sound of my voice, this could be a very late night. We have a lot of people on the Democratic side who want to speak on this nomination. They are going to have that opportunity.

We did not do as much talking as probably should have taken place last night. We completed our work at 7 o'clock. We expected to go to 9. I think tonight we will go at least until 9 or 10 o'clock.

I say to Democratic Senators, they should be prepared because there may not be a tomorrow. I know there are efforts around here to move this forward. We have completed 14 of the 15 nominations that had been sent to us by the President, which is a record-setting pace. We want to move forward on the Ashcroft nomination as quickly as we can. We hope it does not have to go into next week. We will need cooperation from the Republican side. We are going to do the best we can to have somebody in place just as quickly as we can.

I, again, apologize for interrupting my friend, but I appreciate his allowing me to do so.

Mr. NICKLES. I appreciate my colleague's comments. I echo that. I encourage all Senators who wish to speak on the Ashcroft nomination to come to the floor earlier today, rather than later today. It was a little regrettable because I think both leaders had stated publicly we intended to be in session late last night for this nomination. But we could not get additional speakers so we adjourned earlier than planned. I thank my friend and colleague from Nevada.

I might also add when he said we moved forward expeditiously, I am pleased we have confirmed all but one nominee. But I might remind my colleagues, 8 years ago every Clinton

nominee was confirmed by January 22, unanimously, by voice—every single one. The only one that was not was the Attorney General, and the reason for that was that the Clinton administration had withdrawn a couple of nominees. The eventual nominee for Attorney General, Janet Reno, was confirmed 98-0 after very short debate.

I just make those points to clarify the record. Eight years ago Congress moved very expeditiously to confirm all nominees. All were confirmed by January 21—by voice vote, I might add. The only recorded vote was Janet Reno and that was 98-0.

THE OKLAHOMA STATE UNIVERSITY PLANE CRASH

Mr. NICKLES. Mr. President, tragedy struck my State, as members of the Oklahoma State basketball team and news organizations were killed in a tragic plane crash just outside of Denver.

Of course any plane crash is not anticipated, but this was especially painful and tragic because it snuffed out the lives of 10 outstanding individuals, who were well known on campus and throughout the state. Two team members were killed. They were outstanding athletes.

Eight other individuals that were on the plane were a part of the team in various capacities and it is a real tragedy, a tragedy to our State and to our university.

Today there is a memorial service taking place at Oklahoma State University to memorialize these 10 exceptional individuals.

One of the individuals was Nate Fleming. His sister served as an intern in my office. He was a nephew of one of my best friends and an outstanding athlete. Nate was a National Honor Society member and valedictorian of his class. He was only 20 years old.

Another team member, Daniel Lawson, 21, was a junior and played guard. He was originally from Detroit, Michigan. Another was Pat Noyes, 27. Pat was director of basketball operations at Oklahoma State University.

Brian Luinstra, 29, the athletic trainer, leaves a wife and two children.

Will Hancock, 31, was in his fifth year as coordinator of media relations. His wife, Karen, is the coach of the OSU women's soccer team and they had their first child just this last November.

Jared Weiberg, 22, was a student manager and nephew of the Big 12 commissioner, Kevin Weiberg. Jared was a part of the team and will most certainly be missed by all.

Bill Teegins, 48, was the play-by-play voice of the Oklahoma State University Cowboys for many seasons and was sports director for Channel 9 in Oklahoma City. He was honored several times as sportscaster of the year. He

was known by everyone across the state and needless to say, he did an outstanding job.

Kendall Durfey, 38, was a producer and engineer for the OSU radio network. Denver Mills, the pilot, from Oklahoma City, was well liked and was a great aviator.

Bjorn Falstrom was the copilot, originally from Sweden.

This is a real loss for their families, for Oklahoma State University, for Oklahoma and the nation. The contributions these individuals made to the State and to the University will always be remembered. We extend our condolences to Coach Sutton and to President James Halligan and the extended family of Oklahoma State University. It is with deep sadness that we extend our prayers to their families, and to their friends in mourning such a great loss. Certainly, they will be missed.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Chair thanks the Senator from Oklahoma for his eloquent statement.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

The ACTING PRESIDENT pro tempore. The Senator from Kansas, Mr. BROWNBACK.

Mr. BROWNBACK. Mr. President, I believe under a previous agreement I have 15 minutes allocated to me; is that correct?

The ACTING PRESIDENT pro tempore. The Senator was to have until 10:15. It is now 10:12.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that I be allowed to speak for up to 15 minutes as in morning business.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DURBIN. Reserving the right to object, and I will not object, but I want to reserve 15 minutes in morning business after Senator BROWNBACK.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Kansas is recognized for 15 minutes.

Mr. BROWNBACK. I thank the Chair.

MOMENT OF SILENCE

Mr. BROWNBACK. Mr. President, I note with sadness what took place at Oklahoma State. That was a terrible tragedy. I was reading about it in our papers in Kansas. That happened to Wichita State University about 30 years ago. It still has not really healed. Somehow when you take that young life and that vibrant seed with the team, it really grabs a hole out of you that takes a long time to fill.

My thoughts immediately turned to Wichita State when that happened to Oklahoma State. My thoughts and prayers are with the Senator and with Oklahoma.

Mr. President, I wonder if it would be appropriate to have a moment of silent prayer for Oklahoma, for the tragedy they have experienced.

The ACTING PRESIDENT pro tempore. There will be a moment of silence in the Chamber in memory of those who died.

(Moment of silence.)

The ACTING PRESIDENT pro tempore. The Senator from Kansas is recognized.

AMERICA NEEDS A TAX CUT

Mr. BROWNBACK. Mr. President, I rise today to speak on a different issue, one of great importance and one I think we are going to see take place, and that is overdue tax relief for the American people.

The Congressional Budget Office has just announced the 10-year budget surplus projection has increased to \$5.6 trillion. When I came to the House of Representatives in 1994, it would have been hard to fathom numbers of this nature, but through fiscal restraint, a plan put in place to limit the amount of spending over a period of years, and a healthy, growing economy, we are now to the point where we are projecting and experiencing budget surpluses. It is wonderful that we have this opportunity.

I also point out to the American public, in case you are worried the Republicans in Congress are taking their eyes off the ball of fiscal discipline and paying down the debt, we are paying down the debt, and we will continue to pay down the debt.

Over the past 3 years, we paid down over \$360 billion of public debt—\$360 billion over 3 years. We will continue at that pace, if not greater, of reducing the Federal debt. We are going to continue to do that. But it also is possible, and I suggest necessary, for us to do the needed tax cuts and tax relief the American public deserves. America's taxpayers are overpaying the bill for their Government. More specifically, it is a tax on their success. It is, in fact, a tax on the robust economic growth we have experienced and which now seems to be slowing.

Of the \$5.6 trillion, we have already committed to save \$2.7 trillion for Social Security, and we should do that. That still leaves almost \$3 trillion. This is separate and distinct from the Social Security trust fund. We have put that in a lockbox. The Republican Congress said we are building a lockbox; we are going to put the Social Security surplus in it. That is the \$2.7 trillion of Social Security income, leaving \$3 trillion over the next 10 years for tax cuts and debt reduction. We can do both. We must do both.